

Kitchens, Inc. (Lebanon Co., kitchen cabinet surface coating) containing provisions limiting this source as a synthetic minor source (below RACT threshold level of 50 TPY potential VOC emissions) is being approved.

(B) Plan approvals (PA), Operating permits (OP):

(1) ESSROC Materials, Inc.—PA 48-0004A, effective December 20, 1994, except conditions (7)(a), (7)(b), (7)(d), (8)(a), (8)(b), (8)(d), (10), (16) through (19) pertaining to particulate matter or SO<sub>2</sub> requirements and condition (25)(d) and (e) pertaining to compliance date extensions, and the expiration date of the plan approval.

(2) Pennsylvania Power & Light—Brunner Island SES—PA 67-2005, effective December 22, 1994, except condition 2.d. and e. pertaining to compliance date extensions, and the expiration date of the plan approval.

(3) PPG Industries, Inc.—OP 21-2002, effective December 22, 1994, except the expiration date of the operating permit.

(4) Stroehmann Bakeries, Inc.—PA 22-2003, effective December 22, 1994, except condition 9.d. and e. pertaining to compliance date extensions and the expiration date of the plan approval.

(5) GE Transportation Systems—Erie—OP 25-025, effective December 21, 1994, except for condition 9 pertaining to pollutants other than VOC and NO<sub>x</sub>.

(6) J.E. Baker/DBCA Refractory Facility—OP 67-2001, effective December 22, 1994, except the expiration date of the operating permit.

(7) Lafarge Corp.—PA 39-0011A, effective December 23, 1994, except for condition (4)(d) and (e) pertaining to compliance date extensions, condition (8) pertaining to sulfur in fuel requirements, those in condition (9) not pertaining to VOC or NO<sub>x</sub>, and the expiration date of the plan approval, and OP 39-0011, effective December 23, 1994, except conditions (8), (9), and (13) through (15), pertaining to sulfur in fuel requirements, and the expiration date of the operating permit.

(8) West Penn Power Company—Armstrong Power Station—PA 03-000-023, effective December 29, 1994, except for the expiration date of the plan approval and condition 5. pertaining to VOC and condition 9. pertaining to a facility-wide NO<sub>x</sub> cap, PA 03-306-004 (for unit 2), effective March 28, 1994, except for condition 12. (d) and (e), pertaining to compliance date extensions, and the expiration date of the plan approval, and PA 03-306-006 (for unit 1), effective November 22, 1994, except for condition 13. (d) and (e), pertaining to compliance date

extensions, and the expiration date of the plan approval.

(9) Plain n' Fancy Kitchens, Inc.—PA 38-318-019C, effective December 23, 1994, except for condition 2.d. and e., pertaining to compliance date extensions, and the expiration date of the plan approval.

[FR Doc. 95-19505 Filed 8-7-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 75

[FRL-5274-5]

##### Acid Rain Program: Continuous Emission Monitoring

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of removal of provisions of direct final rule and extended public comment period.

**SUMMARY:** On May 17, 1995, EPA published direct final amendments to the Continuous Emission Monitoring (CEM) rule in the Acid Rain Program for the purpose of making implementation of the program simpler, streamlined, and more efficient. The amendments to the original January 11, 1993 rule became final and effective on July 17, 1995. During the public comment period on the direct final rule and its companion proposed rule, EPA received significant, adverse comments on those amended provisions that related to alternative monitoring systems and opacity monitoring for a bypass stack. EPA is removing those amended provisions in the direct final rule and republishing the corresponding provisions from the original January 11, 1993 rule. EPA will address the removed, amended provisions in a future final rule. EPA is also extending the public comment period on the removed, amended provisions for 15 days to allow the public to respond to the significant, adverse comments. All other provisions of the direct final rule remain final.

**DATES:** *Comment date:* Comments in response to the significant, adverse comments on the direct final rule must be received on or before August 23, 1995.

*Effective date:* The effective date of the republished provisions from the original January 11, 1993 rule is September 7, 1995.

**ADDRESSES:** Any written comments in response to the significant, adverse comments on the direct final rule must be identified as being in response to such comments in Docket No. A-94-16 and must be submitted in duplicate to:

EPA Air Docket (6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460. The docket is available for public inspection and copying between 8:30 a.m. and 3:30 p.m., Monday through Friday, at the above address. A reasonable fee may be charged for copying.

##### FOR FURTHER INFORMATION CONTACT:

Margaret Sheppard, Acid Rain Division (6204J), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460, (202) 233-9180.

**SUPPLEMENTARY INFORMATION:** EPA received significant, adverse comments on certain provisions of the direct final rule amending part 75 from Pavilion Technologies, Inc. The comments are found in Docket No. A-94-16, item V-D-03. Pavilion Technologies, Inc. made significant, adverse comments on the following amended provisions: 75.20(f); 75.41(a)(1), (b)(1)(i), (b)(2)(iv)(A) and (C), (c)(1)(i) and (ii), and (c)(2)(ii); 75.47; and 75.48(a) introductory text, (a)(1), (b), and (c). Therefore, those amended provisions in the direct final rule are being removed and the corresponding provisions in the original January 11, 1993 rule will be effective until EPA addresses the comments in a future final rule.

The Agency notes that, although the commenter requested withdrawal of all direct final amendments pertaining to alternative monitoring systems, the commenter also indicated that it supported the amendment of § 72.20(f)(2) providing for provisional certification of an alternative monitoring system after the system has been approved by the Administrator. However, the commenter objected to the public notice and comment procedure that the direct final rule requires prior to such approval. The direct final rule allows for provisional certification because the alternative monitoring system has already undergone public notice and comment and EPA review. See Docket No. A-94-16, item II-F-2. Consequently, EPA is removing all of the interrelated direct final provisions.

EPA also received one significant, adverse comment on the direct final rule provision, § 75.18(b)(3), from Monitor Labs, Inc. The comment is found in Docket No. A-94-16, item V-D-18 (comment 4). Monitor Labs, Inc. objected to the provision allowing the use of a noncontinuous monitoring method (i.e., Method 9 of appendix A of part 60), in lieu of a continuous opacity monitoring system, for bypass stacks. EPA is therefore removing the direct final provision at § 75.18(b)(3). The

remaining provisions in the direct final § 75.18(b) remain in effect.

No other significant, adverse comments were received by EPA on the direct final rule. Thus, all other provisions of the direct final rule became final on July 17, 1995 and remain in effect.

EPA is merely reinstating a few provisions of the original January 11, 1993 rule pending response to adverse comments on proposed amendments of those provisions. The requirements of Executive Orders 12866 and 12875, the Regulatory Flexibility Act, the Unfunded Mandates Act, and the Paperwork Reduction Act are therefore not applicable to this notice. All applicable administrative requirements will be met when the proposed amendments are addressed in a future final rule.

For additional information, see the direct final rule. 60 FR 26510 (May 17, 1995).

#### List of Subjects in 40 CFR Part 75

Environmental protection, Air pollution control, Carbon dioxide, Continuous emission monitors, Electric utilities, Incorporation by reference, Nitrogen oxides, Reporting and recordkeeping requirements, Sulfur dioxide.

Dated: August 2, 1995.

**Brian J. McLean,**

*Director, Acid Rain Division.*

1. The authority citation for part 75 continues to read as follows:

**Authority:** 42 U.S.C. 7601 and 7651, *et seq.*

2. Section 75.18 is amended by removing paragraph (b)(3) and by revising paragraph (b)(2) to read as follows:

#### § 75.18 Specific provisions for monitoring emissions from common and by-pass stacks for opacity.

\* \* \* \* \*

(b) \* \* \*

(2) A continuous opacity monitoring system is already installed and certified at the inlet of the add-on emissions controls.

3. Section 75.20 is amended by revising paragraph (f) to read as follows:

#### § 75.20 Certification and recertification procedures.

\* \* \* \* \*

(f) Certification/recertification procedures for alternative monitoring systems. The designated representative representing the owner or operator of each alternative monitoring system approved by the Administrator as equivalent to or better than a continuous emission monitoring system according

to the criteria in subpart E of this part shall apply for certification to the Administrator prior to use of the system under the Acid Rain Program, and shall apply for recertification to the Administrator following a replacement, modification, or change according to the procedures in paragraph (c) of this section. The owner or operator of an alternative monitoring system shall comply with the notification and application requirements for certification or recertification according to the procedures specified in paragraphs (a) and (b) of this section.

(1) The Administrator will publish each request for initial certification of an alternative monitoring system in the **Federal Register** and, following a public comment period of 60 days, will issue a notice of approval or disapproval.

(2) No alternative monitoring system shall be authorized by the Administrator in a permit issued pursuant to part 72 of this chapter unless approved by the Administrator in accordance with this part.

4. Section 75.41 is amended by revising paragraphs (a)(1), (b)(1)(i), (b)(2)(iv)(A), (b)(2)(iv)(C), (c)(1)(i), (c)(1)(ii), and (c)(2)(ii) to read as follows:

#### § 75.41 Precision criteria.

(a) \* \* \*

(1) Data from the alternative monitoring system and the continuous emission monitoring system shall be collected and paired in a manner that ensures each pair of values applies to hourly average emissions during the same hour.

\* \* \* \* \*

(b) \* \* \*

(1) \* \* \*

(i) Apply the log transformation to each measured value of either the certified continuous emissions monitoring system or certified flow monitor, using the following equation:

$l_v = \ln e_v$

(Eq. 11)

where,

$e_v$ =Hourly value generated by the certified continuous emissions monitoring system or certified flow monitoring system

$l_v$ =Hourly lognormalized data values for the certified monitoring system and to each measured value,  $e_p$ , of the proposed alternative monitoring system, using the following equation to obtain the lognormalized data values,  $l_p$ :

$l_p = \ln e_p$

(Eq. 12)

where,

$e_p$ =Hourly value generated by the proposed alternative monitoring system.

$l_p$ =Hourly lognormalized data values for the proposed alternative monitoring system.

\* \* \* \* \*

(2) \* \* \*

(iv) \* \* \*

(A) The set of measured hourly values,  $e_v$ , generated by the certified continuous emissions monitoring system or certified flow monitoring system.

\* \* \* \* \*

(C) The set of hourly differences,  $e_v - e_p$ , between the hourly values,  $e_v$ , generated by the certified continuous emissions monitoring system or certified flow monitoring system and the hourly values,  $e_p$ , generated by the proposed alternative monitoring system.

\* \* \* \* \*

(c) \* \* \*

(1) \* \* \*

(i) Calculate the variance of the certified continuous emission monitoring system or certified flow monitor as applicable,  $S_v^2$ , and the proposed method,  $S_p^2$ , using the following equation.

$$S^2 = \frac{\sum_{i=1}^n (e_i - e_m)^2}{n - 1}$$

(Eq. 23)

where,

$e_i$ =Measured values of either the certified continuous emission monitoring system or certified flow monitor, as applicable, or proposed method.

$e_m$ =Mean of either the certified continuous emission monitoring system or certified flow monitor, as applicable, or proposed method values.

$n$ =Total number of paired samples.

(ii) Determine if the variance of the proposed method is significantly different from that of the certified continuous emission monitoring system or certified flow monitor, as applicable, by calculating the F-value using the following equation.

$$F = \frac{S_p^2}{S_v^2}$$

(Eq. 24)

Compare the experimental F-value with the critical value of F at the 95-percent confidence level with  $n-1$  degrees of freedom. The critical value is obtained from a table for F-distribution. If the calculated F-value is greater than the critical value, the proposed method is unacceptable.

(2) \* \* \*

(ii) Use the following equation to calculate the coefficient of correlation,  $r$ , between the emissions data from the

alternative monitoring system and the continuous emission monitoring system using all hourly data for which paired

values were available from both monitoring systems.

$$r = \frac{\sum e_p e_v - (\sum e_p)(\sum e_v) / n}{\left[ \left( \sum e_p^2 - (\sum e_p)^2 / n \right) \left( \sum e_v^2 - (\sum e_v)^2 / n \right) \right]^{(1/2)}}$$

(Eq. 27)

\* \* \* \* \*

5. Section 75.47 is revised to read as follows:

**§ 75.47 Criteria for a class of affected units.**

(a) The owner or operator of an affected unit may represent a class of affected units for the purpose of applying to the Administrator for a class-approved alternative monitoring system.

(b) The owner or operator of an affected unit representing a class of affected units shall provide the following information:

(1) A description of the affected unit and how it appropriately represents the class of affected units;

(2) A description of the class of affected units, including data describing all the affected units which will comprise the class; and

(3) A demonstration that the magnitude of emissions of all units which will comprise the class of affected units are *de minimis*.

(c) If the Administrator determines that the emissions from all affected units which will comprise the class of units are *de minimis*, then the Administrator shall publish notice in the **Federal Register**, providing a 30-day period for public comment, prior to granting a class-approved alternative monitoring system.

6. Section 75.48 is revised to read as follows:

**§ 75.48 Petition for an alternative monitoring system.**

(a) The designated representative shall submit the following information in the application for certification or recertification of an alternative monitoring system.

(1) Source identification information.

(2) A description of the alternative monitoring system.

(3) Data, calculations, and results of the statistical tests, specified in § 75.41(c) of this part, including:

(i) Date and hour.

(ii) Hourly test data for the alternative monitoring system at each required operating level and fuel type.

(iii) Hourly test data for the continuous emissions monitoring system at each required operating level and fuel type.

(iv) Arithmetic mean of the alternative monitoring system measurement values, as specified in Equation 24 in § 75.41(c) of this part, of the continuous emission monitoring system values, as specified on Equation 25 in § 75.41(c) of this part, and of their differences.

(v) Standard deviation of the difference, as specified in Equation A-8 in appendix A of this part.

(vi) Confidence coefficient, as specified in Equation A-9 in appendix A of this part.

(vii) The bias test results as specified in § 7.6.4 in appendix A of this part.

(viii) Variance of the measured values for the alternative monitoring system and of the measured values for the continuous emissions monitoring system, as specified in Equation 22 in § 75.41(c) of this part.

(ix) F-statistic, as specified in Equation 23 in § 75.41(c) of this part.

(x) Critical value of F at the 95-percent confidence level with  $n-1$  degrees of freedom.

(xi) Coefficient of correlation,  $r$ , as specified in Equation 26 in § 75.41(c) of this part.

(4) Data plots, specified in §§ 75.41(a)(9) and 75.41(c)(2)(i) of this part.

(5) Results of monitor reliability analysis.

(6) Results of monitor accessibility analysis.

(7) Results of monitor timeliness analysis.

(8) A detailed description of the process used to collect data, including location and method of ensuring an accurate assessment of operating hourly conditions on a real-time basis.

(9) A detailed description of the operation, maintenance, and quality assurance procedures for the alternative monitoring system as required in appendix B of this part.

(10) A description of methods used to calculate heat input or diluent gas concentration, if applicable.

(11) Results of tests and measurements (including the results of

all reference method field test sheets, charts, laboratory analyses, example calculations, or other data as appropriate) necessary to substantiate that the alternative monitoring system is equivalent in performance to an appropriate, certified operating continuous emission monitoring system.

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**40 CFR Part 81**

[MI39-01-6921a; FRL-5272-9]

**Designation of Areas for Air Quality Planning Purposes; Correction of Designation of Nonclassified Ozone Nonattainment Areas; State of Michigan**

**AGENCY:** United States Environmental Protection Agency (USEPA).

**ACTION:** Direct final rule.

**SUMMARY:** This action announces the USEPA decision to correct erroneous ozone designations made in 1980 for the Allegan County (Allegan County), Barry County (Barry County), Battle Creek (Calhoun County), Benton Harbor (Berrien County), Branch County (Branch County), Cass County (Cass County), Gratiot County (Gratiot County), Hillsdale County (Hillsdale County), Huron County (Huron County), Ionia County (Ionia County), Jackson (Jackson County), Kalamazoo (Kalamazoo County), Lapeer County (Lapeer County), Lenawee County (Lenawee County), Montcalm (Montcalm County), Sanilac County (Sanilac County), Shiawassee County (Shiawassee County), St. Joseph County (St. Joseph County), Tuscola County (Tuscola County), and Van Buren County (Van Buren County) nonattainment nonclassified/incomplete data areas and the Lansing-East Lansing (Clinton County, Eaton County, and Ingham County) nonattainment nonclassified/transitional area. Pursuant to section 110(k)(6) of the Act, which allows the USEPA to correct its actions, the USEPA is publishing the designation correction of these areas to attainment/unclassifiable for ozone. The